

FOREWORD

Legal Issues of Foreign Involvement in Central America

The materials that follow reflect the proceedings of the Law Professors' Workshop, *Legal Issues of Foreign Involvement in Central America*, which was sponsored by the American Bar Association's Standing Committee on Law and National Security in cooperation with the Saint Louis University School of Law on January 31 and February 1, 1986. This Workshop was one in a series sponsored by the Standing Committee in recent years as part of a continuing effort to enrich discussion and debate on important subjects of national security law.

The Standing Committee believes that if future generations of lawyers are to carry on the traditions of public service and community leadership, it is essential that they be knowledgeable about major national security problems confronting the United States. To further this process, we invited law professors from across the nation to meet with some of the nation's leading experts on major issues of national security concern.

Because of the controversial nature of Central American issues, we felt that it would be difficult to obtain totally objective speakers. Since the legal profession is trained to consider competing facts and values, we decided that the best approach would be to include advocates for the positions of both Nicaragua and the United States. Our first step was to invite the Nicaraguan Embassy in Washington to provide two speakers for the Friday morning session, and two debaters - hopefully the attorneys who represented Nicaragua before the International Court of Justice - for the afternoon debate. Once we had a written commitment that the Embassy would provide the morning speakers and would assist us in obtaining debaters, we invited other speakers -- including two from the Department of State, and Nicaraguan opposition leader Arturo Cruz. Although Mr. Cruz was a member of the Sandinista junta that took power in 1979, and later served as Nicaragua's ambassador to the United States; he subsequently resigned from the government and aligned himself with the opposition. Shortly after he agreed to participate, the Nicaraguan Embassy informed us that they would not participate after all because they did not have the resources to participate in the debate. Although the Embassy's withdrawal shortly before the Workshop was to take place created some time pressures, we succeeded in obtaining speakers to restore some of

the balance we sought. Because of the late date, however, we were forced to contact more than a dozen potential debaters before we succeeded in securing a team to represent the position of Nicaragua in Friday afternoon's debate. The extra effort was worthwhile, as we believe the Nicaraguan position was ably represented. As scholars, of course, all participants really represented their own position. Balance was augmented by enthusiastic audience participation on all sides of the issues following each presentation. In retrospect, we believe it was one of the most interesting programs the Standing Committee has sponsored over the years - a judgment echoed in many of the comments made by members of the audience.

While we were gratified by the variety of views presented, we note that they do not necessarily represent those of the Standing Committee or the American Bar Association.

I would be remiss if I failed to express the deep gratitude of the Standing Committee to Dean Rudolph Hasl and Professor Josef Rohlik of the Saint Louis University School of Law, who played major roles in insuring the success of the Law Professors' Workshop.

John Norton Moore, *Chairman*
Standing Committee on Law
and National Security